



STATE OF ILLINOIS

**ENVIRONMENTAL PROTECTION AGENCY**

US EPA RECORDS CENTER REGION 5



487670

October 15, 1970

SPRINGFIELD, ILLINOIS 62706  
AREA 217 - 525-6580

ST. CLAIR COUNTY - Solid Waste Disposal  
Fairmont City/Metro Disposal Systems, Inc.

Mr. Paul P. Waller, Jr.  
O'Connell & Waller  
Suite 216  
First Federal Building  
435 Missouri Avenue  
East St. Louis, Illinois 62201

Dear Mr. Waller:

This is in reply to your letter of September 24, 1970, regarding the subject refuse disposal site.

As indicated to you in a previous telephone conversation regarding this refuse disposal site, we have in our files plans and other supplemental data regarding this site upon which the issuance of a permit was based by the Illinois Department of Public Health. I am not entirely satisfied with the soil boring data which was submitted as part of the supplemental data, and plan to request additional borings from the management, said borings to be observed by an engineering representative of this Agency. It is noted that an experienced ground water geologist has just been added to our staff, and as soon as he is able to familiarize himself with our operations and policies, we plan to review the files on this site and determine a course of action. We will be in contact with you as soon as we are able to proceed. Meanwhile, if you have any questions, or information which will be of assistance to us, please feel free to contact us.

Very truly yours,

C. E. Clark, Chief  
Bureau of Land Pollution Control

CEC:cp

cc: ☒ Region II

**THE NEW ILLINOIS**

**We accommodate**

cl  
RB-AB  
RH PH  
KM fm

**O'CONNELL & WALLER**

**ATTORNEYS AT LAW**

SUITE 216, FIRST FEDERAL BUILDING  
435 MISSOURI AVENUE  
EAST ST. LOUIS, ILLINOIS 62201



JOHN F. O'CONNELL  
PAUL P. WALLER, JR.

AREA CODE 618  
875-2921

September 24, 1970

RECEIVED

SEP 25 1970

ENVIRONMENTAL PROTECTION AGENCY  
STATE OF ILLINOIS

Mr. C. E. Clark  
Bureau Chief  
Environmental Protection Agency  
Bureau of Land Pollution Control  
535 West Jefferson Street  
Springfield, Illinois 62706

RE: Village of Fairmont City vs. Metro Disposal Systems, Inc.

Dear Mr. Clark:

On September 3, 1970, I forwarded to you a certified copy of the landfill ordinance of the Village of Fairmont City, Illinois, which regulates landfills within the Village limits and within one mile thereof.

On approximately May 21, 1968, Metro Disposal Systems, Inc. filed an Application with the Board of Trustees of the Village of Fairmont City requesting a permit to operate a landfill, part of which was within the Village of Fairmont City and part of which was located outside of it. The Board of Trustees did not issue a permit to Metro Disposal Systems, Inc. and subsequently, on January 17, 1969, that company filed a Mandamus suit in the Circuit Court of St. Clair County, Illinois, requesting the Court to issue a Writ of Mandamus to compel the Board of Trustees of Fairmont City to issue a permit for that purpose. This case is presently pending and no hearing is presently scheduled on the Petition.

The map which was submitted to you and which was prepared by Waste Disposal Consultants indicated there were two phases in the complete tract to be used for the landfill. Phase A was 75% located within the Village and an area designated Phase B had approximately 10% of which was located within the Village limits but which was contiguous to it. I enclose a partial copy of that map for your information.

On Approximately August 21, 1970, Metro Disposal Systems, Inc. began operating a landfill in what is designated as Phase B at a point near the intersection of U.S. Route 40 and Route 203 without applying for a permit from our Village. They have responded to our questions by stating that this site is registered with the Department of Public Health.

We have instituted proceedings in the Magistrate Court for a violation of our Ordinance 304 and this prosecution is also pending and unresolved.

Mr. C. E. Clark  
Bureau Chief  
Environmental Protection Agency  
Bureau of Land Pollution Control

RE: Village of Fairmont City vs.  
Metro Disposal Systems, Inc.

-2-

September 24, 1970

Since Metro Disposal Systems, Inc. has failed to comply with the provisions of our Ordinance 304 requiring a permit to be obtained, we request that the registration of the landfill site with your office, as successor to the Department of Public Health, be cancelled and revoked.

It appears to us that the water table in that area is very high and that their operation of a land fill in that area would contaminate the water supply in the area.

Will you please have your inspectors make an investigation of the site and correspond with the undersigned in order to obtain any additional information which they desire, since I have been instructed by the Village officials of Fairmont City to cooperate with your department completely and fully to eliminate this hazard to the health and welfare of our community.

Yours truly,

O'CONNELL & WALLER

Paul P. Waller, Jr.

PPW,JR:1ks

Encl.

cc: Hon. John B. Wyrostek

TO MISSOURI State Line ★  
INTERSTATE

PROJECT SITE

LIMITS

PHASE "B"

VILLAGE

CORPORATE

PHASE "A"

Future Road  
to Future Dev.

U.S. 40

RANGER R.R.

YORKUM AVE.

3RD AVE

2ND AVE

1ST AVE

COLLINSVILLE

MP 2

PROJECT SITE

LIMITS

CORPORATE

PHASE "A"

VILLAGE

PHASE "B"

Future Road  
to Future Dev.

PENNSYLVANIA R.R.  
(Eastward Yard)

YORKUM AVE.

MP#226

COLLINGSVILLE

ROE AVE

ON AVE

AVE

AVE

AVE

AVE

BEST

AVE

AVE

AVE

AVE